

STATE OF MICHIGAN JUDICIAL <input checked="" type="checkbox"/> CIRCUIT <input type="checkbox"/> DISTRICT COUNTY <input type="checkbox"/> IN THE COURT OF APPEALS	CLAIM OF APPEAL	CASE NO. 19-004183 CIRCUIT DISTRICT PROBATE <u>1907223-AE</u>
Court address 180 OTTAWA AVE NW GRAND RAPIDS, MICHIGAN 49503		Court telephone no. 800-638-3994
Plaintiff's/Petitioner's name(s) and address(es) MR. STACEY R. SMITH 855 KALAMAZOO AVE SE GRAND RAPIDS, MICHIGAN 49507. 616-350-5709. Plaintiff's attorney, bar no., address, and telephone no. PRO SE	v J. JOSEPH ROSS (P-5394)	Defendant's/Respondent's name(s) and address(es) MENARDS INC. 5555 CLYDE PARK AVE SW WYOMING, MICHIGAN 49509. Defendant's attorney, bar no., address, and telephone no. CORPORATE COUNSEL: CRYSTAL KEDEMAN.
<input type="checkbox"/> Probate In the matter of <u>MOTION TO STAY AND REMAND APPEAL AND BYPASS TO THE 17TH CIRCUIT COURT.</u> Other interested party(ies) of probate matter		

1. STACEY R. SMITH M.E.S.C. CLAIMAINT. claims an appeal from a final judgment or order entered on
 Name MARCH 19, 2019 in the M.E.S.C. ADMINISTRATIVE LAW JUDGE Court of the State of Michigan,
 Date Court name and number or county
 by ☐ district judge ☐ circuit judge ☐ probate judge ☐ district court magistrate
- MARTEN GARN ADMINISTRATIVE LAW JUDGE P-40319
 Name of judge or district court magistrate Bar no.
2. Bond on appeal is ☐ filed. ☐ attached. ☐ waived. ☒ not required.
3. ☐ a. The transcript has been ordered.
☐ b. The transcript has been filed.
☐ c. No record was made.
- ☐ 4. THIS CASE INVOLVES
☐ a. A CONTEST AS TO THE CUSTODY OF A MINOR CHILD.
☐ b. AN ADULT OR MINOR GUARDIANSHIP UNDER THE ESTATES AND PROTECTED INDIVIDUALS CODE OR UNDER THE MENTAL HEALTH CODE.
☐ c. AN INVOLUNTARY MENTAL HEALTH TREATMENT CASE UNDER THE MENTAL HEALTH CODE.
☒ d. A RULING THAT A PROVISION OF THE MICHIGAN CONSTITUTION, A MICHIGAN STATUTE, A RULE OR REGULATION INCLUDED IN THE MICHIGAN ADMINISTRATIVE CODE, OR ANY OTHER ACTION OF THE LEGISLATIVE OR EXECUTIVE BRANCH OF STATE GOVERNMENT IS INVALID.

Date _____ /s/ Appellant/Attorney signature _____

PROOF OF SERVICE

I certify that copies of this claim of appeal and bond (if required) were served on

MENARDS INC. on 08-19-19 by X personal service. ☐ first-class mail.
 Name Date
M.E.S.C. on 08-19-19 by X personal service. ☐ first-class mail.
 Name Date
17TH CIRCUIT COURT. on 08-19-19 by X personal service. ☐ first-class mail.
 Name Date

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STATE OF MICHIGAN 17TH JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE		NOTICE OF RECORD RETURN FROM CIRCUIT COURT/ COURT OF APPEALS	CASE NO. DOCKET: 19-004183 (13752147).
Court address 180 OTTAWA AVE NW GRAND RAPIDS MICHIGAN 49503		Court telephone no. 800-638-3994	
Plaintiff's/Petitioner's name(s) and address(es) MR. STACEY R. SMITH 855 KALAMAZOO AVE SE GRAND RAPIDS, MICHIGAN 49507. 616-350-5709.	<input type="checkbox"/> Appellant <input checked="" type="checkbox"/> Appellee	Defendant's/Respondent's name(s) and address(es) MENARDS INC. 5555 CLYDE PARK AVE SW. WYOMING, MICHIGAN 49509	<input checked="" type="checkbox"/> Appellant <input type="checkbox"/> Appellee
Plaintiff's attorney, bar no., address, and telephone no. PRO SE		Defendant's attorney, bar no., address, and telephone no. CORPORATE COUNSEL: CRYSTAL KADEMAN.	
<input type="checkbox"/> Probate In the matter of <u>MOTION TO STAY AND REMAND APPEAL AND BYPASS TO 17TH CIRCUIT COURT.</u>			

TO:

MICHIGAN OFFICE OF ADMINSTRATIVE HEARINGS.
 3026 W. GRAND BLVD. 2ND FLOOR ANNEX.
 DETROIT, MICHIGAN 48202.
 DOCKET NUMBER: 19-0041 83
 CASE NUMBER: 13752147

You are notified that the ☐ Court of Appeals ☐ circuit court has returned the original record previously transmitted in connection with the appeal taken from this court.

Date

Clerk/Deputy register

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this notice on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).

Date

Signature

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STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM

ORLENE HAWKS
DIRECTOR

July 22, 2019

Stacey R. Smith
855 Kalamazoo Ave., SE
Grand Rapids, MI 49507

Re: Case Name: Stacey R. Smith vs. Mendard Inc.
Appeal Docket No.: 19-004183

Dear Mr. Smith:

We are in receipt of a claim of appeal from the above-captioned that was forwarded to our office on July 10, 2019.

In accordance with MCR 7.116(F) it is our intention to transmit a certified record to the clerk within 42 days from the date we were served. In an attempt to obtain the case number, we contacted Kent County Circuit Court office on several occasions; however, we are advised that as of this date that you do not have a case on record filed in this matter.

As the court does not have this case on file, we are notifying you that we are not submitting the certified record at this time. If the court is in need of the certified record, please notify this office with the court docket number immediately and the certified record will be submitted accordingly.

Should you have any questions in regard to this matter please do not hesitate to contact me.

Sincerely,

Emily Holscher
Administrative Support

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Mr. Stacey R. Smith
855 Kalamazoo Ave SE
Grand Rapids, Michigan 49507.
616-350-5709.

June 10, 2019.

Michigan Office of administrative hearings and rules.
3026 W. Grand BLVD. 2nd Floor ANNEX.
Detroit, Michigan 48202.

Docket number 19-0041 83
Case number 13752147 Call 1-800-638-3994,
: Employer Menards Inc
Claimant : STACEY R SMITH
SSN: XXX-XX-3325.

GET EMAIL OF MIAG
AND SOM IT DIRECTOR

} **Motion to stay and Remand appeal and
bypass of commission/direct appeal to the
circuit court.**

ENTERING, the Claimant with a Motion to Stay and Remand Appeal and request to bypass of Commission and Direct Appeal to the Circuit Court. The claimant believes that a deceptive practice has come about in conjunction with Marten Garn/Administrative Law Judge.

I have already been in contact with one witness who agrees and confirms that this unscrupulous activity has taken place within this Administrative Law Judge's court room.

Section 29(1)(b) of the Michigan Employment Security Act provides: "An individual is disqualified from receiving benefits if he or she was suspended or discharged for misconduct connected with the individual's work or for intoxication while at work. "Dec 1, 2012".

IN ACCORDANCE, :

What court cases have said:

Unemployment compensation

cases say that to be misconduct, the actions by the worker must be harmful to the interests of the employer, and must be done

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intentionally or in disregard of the employer's interests. Actions that are grossly negligent will also be considered misconduct. A single incident of misconduct or of gross negligence may be enough to disqualify a worker from unemployment benefits. A worker who commits many infractions may be disqualified, even if none of the infractions, alone, would be misconduct resulting in disqualification. However, the final incident in a series, for which the worker is fired, must itself show an intentional disregard of the employer's interests. However, if the actions by the worker show merely the worker's inability to do the job correctly, or show an isolated case of bad judgment or negligence, then the worker will not be disqualified from receiving unemployment benefits. (This does not necessarily mean the employer did not have a good reason for firing the worker.) Acts committed by the worker that have no connection with the work will not result in disqualification if the employer fires the worker for them. Examples:

If a worker is consistently absent or tardy from work, without a justifiable excuse, the worker could be disqualified from receiving benefits. If a worker is discharged based on an arrest occurring on the worker's own time and not connected with the job, then the worker would not be disqualified.

FURTHER,:

Proof at the Hearing:

If either the employer or the unemployed worker appeals the case to an Administrative Law Judge, then the employer must prove that the worker engaged in misconduct and that the misconduct occurred in connection with the work. Except in the most serious offenses, the employer must also prove that the worker was aware of the employer's work rules and that the actions of the worker were harmful to the employer.

A statement at the hearing by either party is a form of proof.

The statements at the hearing of witnesses may also be helpful in proving a case, since they give added weight to the statements of the worker or employer. Documents supported by testimony at the hearing may also be used as proof.

I maintained with a confirmed witness that my termination resulted in the "guest", (customer in question), specifically asked me to call for the General Manager after being yelled at by the individuals you have as statements from Menards, as there proof in written testimony by Manager's Dave and Shannon two key individuals involved with my structure termination by General Manager Nick Owens.

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Please contact the witness:

ALSO IN ADDITION TO THIS, Claimant did not receive any documents pertaining to the hearing and reason being is that these documents were HELD PASSED THE DATE OF THE HEARING DELIBERATLY, as another witness can attest to this occurrences along with the new re-vamping of the M.E.S.C. System CLAIMANT received these documents on 06/01/19 shortly after my return from out of town which also can be proven.

CLAIMANT feels this matter warrants SUPERINTENDING CONTROL through the CIRCUIT COURT upon transfer or change of VENUE.

SUPERINTENDING CONTROL has been AFFIRMED through this respectful submission.

CLAIMANT has observed numerous anomalies within the electronic system of the M.E.S.C to the point where CLAIMANT had to communicate with the DIRECTOR OF IT FOR THE STATE OF MICHIGAN on several occasion about idiosyncrasies that remain in the electronic system of the M.E.S.C. which poses the favor of the M.E.S.C. and the respondent ultimately.

CLAIMANT request a reversal back to the CLAIMANTS favor as it also had to be reported to the Michigan Attorney General who also personally inquire about CLAIMANTS pending file with the M.E.S.C. upon it being approved for DEFAULT of the respondent ORIGINALLY.

CLIAMANTS REVERSAL IS AFFIRMED.

Best regards:

**/s/ STACEY R SMITH
ELECTRINIC SIGNATURE.**

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1ST. AFRICAN NATIONAL & CO. <androgenxalon@att.net>
To: firstafricannational@yahoo.com
Jul 6 at 12:22 AM

----- Forwarded message -----

From: "1ST. AFRICAN NATIONAL & CO." <androgenxalon@att.net>
Date: Mar 2, 2019 2:19 AM
Subject: Fwd: Re: Citizen Response
To: androgenxalon@att.net, FieldsM1@michigan.gov
Cc:

----- Forwarded message -----

From: Stacey Smith <androgenxalon@att.net>
Date: Feb 5, 2019 2:59 PM
Subject: Re: Citizen Response
To: Michigan Attorney General <miag@michigan.gov>
Cc:

Thank you for your time

On Tue, Feb 5, 2019, 2:49 PM Michigan Attorney General <miag@michigan.gov> wrote:
February 5, 2019

Stacey Smith
androgenxalon@att.net
Citizen Inquiry #2019-0240270-A

Attorney General Dana Nessel has asked me to respond to your email regarding your claim for unemployment benefits. You state that you were disqualified from receiving benefits, which you believe was improperly based on incorrect information entered by an employee of the Michigan Unemployment Insurance Agency ("Agency.")

Please understand that the Attorney General is responsible for providing legal advice and representation to various state departments and officials, including the Agency. Michigan law does not, however, permit the Attorney General or any Assistant Attorneys General to provide advice or representation to private individuals. Therefore, I am unable to offer you legal advice or intercede in this matter on your behalf.

But in an effort to be of some assistance, we asked the Agency about the status of your claim for benefits. According to Agency records, an incident occurred that caused you to be fired. The Agency received several written statements from managers and coworkers that witnessed the incident. After reviewing all available information, the Agency issued a determination on January 19, 2019, finding that you were disqualified for misconduct under section 29(1)(b) of the Michigan Employment Security Act, MCL 421.29(1)(b). You protested this determination on January 19, 2019, and a redetermination is pending. Once the Agency issues its redetermination, and if you disagree with its conclusion, you will have 30 days to appeal and request a hearing before an administrative law judge where you will be able to provide testimony and documentary

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evidence.

Despite your disqualified status, you should continue to report to MARVIN on a biweekly basis. Please continue to monitor your email and your MiWAM account for future notifications.

If you have any remaining legal questions, you may wish to contact a private attorney for advice regarding any possible legal remedies available to you. An attorney would directly represent your interests and is the one whose advice would be most helpful to you. If you need assistance with locating an attorney, I suggest you call the State Bar Lawyer Referral Service at (800) 968-0738. The service is available Monday through Friday between 9:00 a.m. and 5:00 p.m. You will be provided with the name of an attorney in your area who accepts cases like yours.

On behalf of Attorney General Dana Nessel, I hope this information is helpful in addressing the issue stated in your email.

Debbie K. Taylor
Division Chief

From: Stacey Smith <androgenxalon@att.net>
Sent: Monday, January 21, 2019 2:18 PM
To: Michigan Attorney General <miag@michigan.gov>
Subject: TO THE ATTORNEY GENERAL DIRECTLY (ONLY)!

Mr. Stacey R Smith
855 Kalamazoo Ave SE
Grand Rapids, Michigan 49507
616-350-5709.

01/21/2019.

TO: The Michigan Attorney General DIRECTLY!

G. Mennen Williams Building
525 W. Ottawa Street
P.O. Box 30212
Lansing, MI 48909

RE: Michigan Unemployment Insurance Agency.

I submitted a claim after I was wrongfully terminated at Menards after December 22, 2018 I later went to the Michwork agency on 121 Franklin to correct my job service submission and met Travis with MESC and he offered to help me with it and then asked me to make a statement. He in turned stated on their that I admitted that I was aware of breaking policy when I did not. I was immediately disqualified and feel that he must make a correction as I specifically stated that I was fired for helping a customer. How is helping a customer breaking policy; along with the exiting problems with the State website. I need someone to force him to make this correction as I

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will file a formal complaint against him as well.

Please further advise.

----- Forwarded message -----

From: "IST. AFRICAN NATIONAL & CO." <androgenxalon@att.net>

Date: Mar 2, 2019 2:19 AM

Subject: Fwd: Re: Citizen Response

To: androgenxalon@att.net, FieldsM1@michigan.gov

Cc:

> ----- Forwarded message -----

> From: Stacey Smith <androgenxalon@att.net>

> Date: Feb 5, 2019 2:59 PM

> Subject: Re: Citizen Response

> To: Michigan Attorney General <miag@michigan.gov>

> Cc:

>

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>>

>> On Tue, Feb 5, 2019, 2:49 PM Michigan Attorney General <miag@michigan.gov> wrote:

>>>

>>> February 5, 2019

>>>

>>>

>>> Stacey Smith

>>> androgenxalon@att.net

>>> Citizen Inquiry #2019-0240270-A

>>>

>>> Attorney General Dana Nessel has asked me to respond to your email regarding your claim for unemployment benefits. You state that you were disqualified from receiving benefits, which you believe was improperly based on incorrect information entered by an employee of the Michigan Unemployment Insurance Agency ("Agency.")

>>>

>>> Please understand that the Attorney General is responsible for providing legal advice and representation to various state departments and officials, including the Agency. Michigan law does not, however, permit the Attorney General or any Assistant Attorneys General to provide advice or representation to private individuals. Therefore, I am unable to offer you legal advice or intercede in this matter on your behalf.

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>>>

>>> Despite your disqualified status, you should continue to report to MARVIN on a biweekly basis. Please continue to monitor your email and your MiWAM account for future notifications.

>>>

>>> If you have any remaining legal questions, you may wish to contact a private attorney for advice regarding any possible legal remedies available to you. An attorney would directly represent your interests and is the one whose advice would be most helpful to you. If you need assistance with locating an attorney, I suggest you call the State Bar Lawyer Referral Service at (800) 968-0738. The service is available Monday through Friday between 9:00 a.m. and 5:00 p.m. You will be provided with the name of an attorney in your area who accepts cases like yours.

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>>> Debbie K. Taylor

>>> Division Chief

>>>

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>>> Sent: Monday, January 21, 2019 2:18 PM

>>> To: Michigan Attorney General <miag@michigan.gov>

>>> Subject: TO THE ATTORNEY GENERAL DIRECTLY (ONLY)!

>>>

>>> Mr. Stacey R Smith

>>> 855 Kalamazoo Ave SE

>>> Grand Rapids, Michigan 49507

>>> 616-350-5709.

>>>

>>> 01/21/2019.

>>>

>>> TO: The Michigan Attorney General DIRECTLY!

>>>

>>> G. Mennen Williams Building

>>> 525 W. Ottawa Street

>>> P.O. Box 30212

>>> Lansing, MI 48909

>>>

>>> RE: Michigan Unemployment Insurance Agency.

>>>

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>>>>

>>>> Please further advise.

>

>

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☐ Construction Safety and Health

NOTICE OF ALLEGED SAFETY OR HEALTH HAZARDS

HAZARD DESCRIPTION/LOCATION. Briefly describe the hazards you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.

General manager Nick Owens has overlooked a request or concern that was reported through his first assistant general manager about cables on three bay doors that were of residential grade if not universal or the simplicity grade and not industrial-grade cables which also has endangered not only the lives of the team members but also the guest or the general public also an employee while an assistant general manager stood there and witnessed and watched an employee jump on this bay door without a harness with a high-low lifted up to that bay door grabbing the door and it disengaging him falling to the ground and the bay door simultaneously landing on his midsection as he laid on the ground where this was covered up envy employee still works there and the assistant general manager who stood there and allowed it to happen is still employed there while I was fired on December 22nd 2018 at 8:10 p.m. by the general manager under a structured dismissal through or due to retaliation

MIOSHA -7a (rev. 5/18)	The Department of Licensing and Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
Completion: Voluntary	

Remote Host: 136.181.147.27

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Exhibit (A)



STACEY R SMITH
855 KALAMAZOO AVE SE
GRAND RAPIDS MI 49507-1379

Mail Date: July 9, 2019
Letter ID: L0053724399
MIN: 1251238144
Name: STACEY R SMITH

Balance
was original
after C/g/m
approved

\$48.00
was

Monthly Statement - Delinquent

Principal:	\$181.00
Penalty:	\$0.00
Interest:	\$58.26
Total Balance:	\$239.26

This is
not accurate

Your total balance is past due. Prior attempts have been made to contact you; therefore, the following collection activity may occur:

- The United States Department of Treasury intercepting up to the full amount of your federal income tax refund for overpayment of unemployment benefits due to fraud or unreported earnings
- Unemployment Insurance (UI) withholding your future unemployment compensation benefits to pay the debt
- Michigan Department of Treasury intercepting the full amount of your state income tax refund to pay the debt
- Michigan Department of Treasury withholding State Lottery winning to pay the debt
- Administrative garnishment without obtaining court order
- UI taking legal action in the courts to pay the debt

To pay the balance in full and prevent any future collection activities, submit payments through your Michigan Web Account Manager (MiWAM) account at www.michigan.gov/ui. You may also detach the payment voucher below, write your Michigan Identification Number (MIN) on your payment, and send it to: Unemployment Insurance - Restitution, Dept #771760, PO Box 77000 Detroit, MI 48277-1760. Make your check or money order payable to: Unemployment Insurance. Do not send cash.

If you did not receive any notice of the (Re)Determination that is the basis of this collection activity, you may file a late protest or appeal of the (Re)Determination(s). If your request is denied by UI, you may further appeal the denial by requesting a hearing before an administrative law judge (ALJ). If you are successful in reopening your case, you will be entitled to a hearing on the underlying issues.

Please cut and return bottom portion with your payment.

Unemployment Insurance Payment Voucher

STACEY R SMITH
855 KALAMAZOO AVE SE
GRAND RAPIDS MI 49507-1379

Letter ID: L0053724399
Statement Date: 09-Jul-2019
Claimant MIN: 1251238144
Media Number: 5036878087 E
Voucher Amount: \$239.26

State of Michigan
Unemployment Insurance - Restitution
Dept #771760
PO Box 77000
Detroit, MI 48277-1760

Amount Enclosed: \$

E 0000000023926 1251238144 000000000000 7

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GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Certified Mail # 7018 1130 0000 9278 2766

April 30, 2019

Mr. Stacey R. Smith
855 Kalamazoo Ave, SE
Grand Rapids, MI 49507

RE: Stacey R. Smith / Menard's Inc. / Case No. D-19-327-2

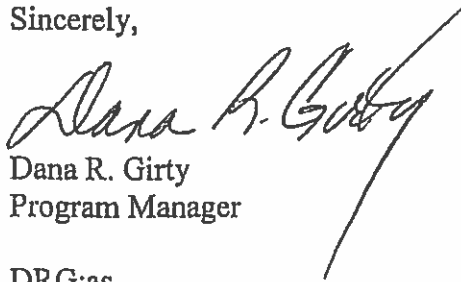
Dear Mr. Smith:

Your complaint of discrimination under Section 65(1) of the Michigan Occupational Safety and Health Act, Act 154 of the Public Acts of 1974, as amended (MIOSHA), has been investigated and the results carefully considered.

The evidence developed during the investigation was not sufficient to support a finding of a violation of the above-cited section of the Act. Accordingly, we are dismissing your complaint.

This is further to advise that either party has the right to appeal this determination; such appeal must be in writing and submitted to the Michigan Department of Licensing and Regulatory Affairs, Michigan Occupational Safety and Health Administration, GISHD, Employee Discrimination Section, 3026 West Grand Boulevard, Suite 9-450, Detroit MI, 48202. Said appeal must be received by this office within 15 working days of the date of this letter.

Sincerely,



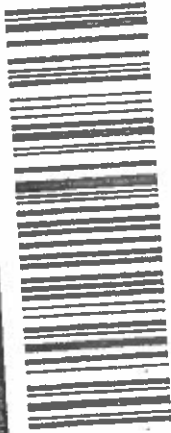
Dana R. Girty
Program Manager

DRG:as

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State of Michigan/ LARA
MIOSHA/Employee Discrimination
333 W. Grand Blvd./Ste. 9-450
Detroit, MI 48202

CERTIFIED MAIL



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RECEIVED
STATE OF MICHIGAN

JUN 05 2019

MIOSHA/GISHD
EMPLOYEE DISCRIMINATION

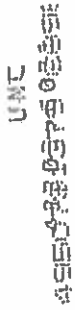
Mr. Stacey R. Smith
855 Kalamazoo Ave, SE
Grand Rapids, MI 49507
NIXIE

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452 DE 1 0005/23/19

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 48202502199 *0764-04980-01-00



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GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

June 6, 2019

Ms. Stacey R. Smith
855 Kalamazoo Ave, SE
Grand Rapids, MI 49507

RE: Stacey R. Smith / Menard's Inc. / Case No. D-19-327-2

Dear Ms. Smith:

I am forwarding you a copy of your determination letter for your records. The appeal date has expired. On April 29, 2019, a closing conference message was left for you advising the determination letter was being mailed this day via certified mail. Your appeal rights and time frame were also explained. Our records indicate the post office made attempts to deliver this letter but you failed to claim it. Therefore, it was returned to our office as unclaimed.

If you have questions or concerns, please feel free to contact our office.

Sincerely,

Dana R. Girty
Program Manager

DRG:ajw

Enclosures

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GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

February 20, 2019

Ms. Stacey Smith
855 Kalamazoo Ave. SE
Grand Rapids, MI 49507

Dear Ms. Smith:

RE: Complaint # 1413167 at McNards

On January 7, 2019, the General Industry Safety and Health Division opened an inspection in response to your complaint concerning occupational safety and health. A copy of the inspection results that were given to the establishment are enclosed for your review. If no citations were issued, the items listed in your complaint were not found to be violations of Michigan Occupational Safety and Health Administration (MIOSHA) regulations at the time of the inspection.

You have the right to request an informal review of our findings, including any determination not to issue citations. Section 28(4) of Act 154 provides for a complainant to be able to request an informal review of a MIOSHA decision concerning a complaint. A request for an informal review must be submitted in writing to the MIOSHA General Industry Safety and Health Division within 15 working days of the date of this letter. The request must explain the alleged violations contained in your original complaint that will be the subject of the informal review. Upon completion of the informal review, you will receive a written notification of the final disposition of your complaint and reasons therefore.

You can request a copy of the inspection file by making a Freedom of Information Act (FOIA) request at www.michigan.gov/larafoia. If you have any questions about FOIA, the LARA FOIA Office can be reached at (517) 335-3327.

Thank you for your interest in improving the working conditions at this place of employment. If you have questions, comments, or concerns about the inspection findings, feel free to call me at (517) 284-7750.

Sincerely,

Al Cudney

Al Cudney
Safety Supervisor

AC:ms

MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
GENERAL INDUSTRY SAFETY AND HEALTH DIVISION
530 W. ALLEGAN STREET • P.O. BOX 30544 • LANSING, MICHIGAN 48909-8144
OVERNIGHT MAIL ADDRESS: 2407 N. GRAND RIVER AVENUE • LANSING, MI 48906
www.michigan.gov/miosha • Phone: (517) 284-7750 • Fax: (517) 284-7755
LARA is an equal opportunity employer/program.

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Whidby, Angelque (LARA)

From: Strahan, April (LARA)
Sent: Tuesday, May 07, 2019 8:10 AM
To: Whidby, Angelque (LARA)
Subject: FW: DISCLOSURE AUTHORIZATION TO THE LOCAL OFFICE OF CONGRESSMEN JUSTIN AMASH.

Can you please print these emails and also include it in the Smith/Menards file?

Thank you!

April Strahan, Investigator
MIOSHA Employee Discrimination
3026 W Grand Blvd, Suite 9-450
Detroit, MI 48202
(313) 456-3109 (Main)
(517) 242-8087 (Cell)
strahanA@michigan.gov

From: Strahan, April (LARA)
Sent: Monday, May 06, 2019 10:00 AM
To: 1ST. AFRICAN NATIONAL & CO. <androgenxalon@att.net>
Subject: RE: DISCLOSURE AUTHORIZATION TO THE LOCAL OFFICE OF CONGRESSMEN JUSTIN AMASH.

Mr. Smith,

Even with an authorization to release the file, we cannot provide the file without a Freedom of Information Request.

April Strahan, Investigator
MIOSHA Employee Discrimination
3026 W Grand Blvd, Suite 9-450
Detroit, MI 48202
(313) 456-3109 (Main)
(517) 242-8087 (Cell)
strahanA@michigan.gov

From: 1ST. AFRICAN NATIONAL & CO. <androgenxalon@att.net>
Sent: Monday, May 06, 2019 9:01 AM
To: Strahan, April (LARA) <StrahanA@michigan.gov>
Subject: RE: DISCLOSURE AUTHORIZATION TO THE LOCAL OFFICE OF CONGRESSMEN JUSTIN AMASH.

as indicated congressman Justin amash has office has an authorization for your department or agency to release the information to his office I will contact them to forward the released authorization signed

On May 6, 2019 8:26 AM, "Strahan, April (LARA)" <StrahanA@michigan.gov> wrote:

Mr. Smith,

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I cannot send the file as you requested. In order to obtain a copy of the file you will need to submit a Freedom of Information request.

The Freedom of Information Act (FOIA), 1976 PA 442, can be found at the following link:
<http://legislature.mi.gov/doc.aspx?mcl-act-442-of-1976>

Contact Information:

Website: www.michigan.gov/larafoia

Email: LARAFOIAInfo@michigan.gov

Mail: State of Michigan Department of Licensing and Regulatory Affairs c/o FOIA Office Ottawa Bldg., 4th Floor P.O. Box 30004 Lansing, MI 48909

Phone: 517-335-3327 Fax: 517-335-4037

Please feel free to let me know if you have additional questions.

Sincerely,

April Strahan, Investigator

MIOSHA Employee Discrimination

3026 W Grand Blvd, Suite 9-450

Detroit, MI 48202

(313) 456-3109 (Main)

(517) 242-8087 (Cell)

strahanA@michigan.gov

From: Stacey Smith <androgenxalon@att.net>

Sent: Sunday, May 05, 2019 1:59 AM

To: Strahan, April (LARA) <StrahanA@michigan.gov>; Fields, Melissa (MDCR) <fieldsm1@michigan.gov>; Stacey Smith <androgenxalon@att.net>; 6163505709@mms.att.net; Stacey Smith <androgenxalon1@yahoo.com>; Stacey Smith

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<androgenxalon1@gmail.com>; Michigan Attorney General <miag@michigan.gov>

Subject: DISCLOSURE AUTHORIZATION TO THE LOCAL OFFICE OF CONGRESSMEN JUSTIN AMASH.

Dear Ms. Fields and Strahan:

If you could so kindly please forward this complete file of your findings or lack there of directly to Congressmen Amash's office upon closing. They are already in receipt of my written authorization to release this information directly to his office.

Thank you and best regards:

/s/ Mr. Stacey R. Smith

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SCHEDULE CHANGE REQUEST

Team Member's Name: Stacey

Today's Date: 9-7-18

Day	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Date	<u>9/9</u>	<u>9/10</u>	<u>9/11</u>	<u>9/12</u>	<u>9/13</u>	<u>9/14</u>	<u>9/15</u>
Old Shift							
New Shift	<u>off</u>	<u>9-6</u>	<u>1-10</u>	<u>11-8</u>	<u>8-5</u>	<u>off</u>	<u>10-8</u>

Reason for Change: Starting in F/E.

Who is covering? or Covering for whom? _____

Department: 008

Team Member's Signature: _____

Department Manager's Signature: _____

General Manager's Signature: _____

SCHEDULE CHANGE REQUEST

Team Member's Name: Stacey

Today's Date: _____

Day	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Date	<u>9/16</u>	<u>9/17</u>	<u>9/18</u>	<u>9/19</u>	<u>9/20</u>	<u>9/21</u>	<u>9/22</u>
Old Shift							
New Shift	<u>11-8</u>	<u>off</u>	<u>off</u>	<u>8-5</u>	<u>1-10</u>	<u>9-6</u>	<u>10-8</u>

Reason for Change: _____

Who is covering? or Covering for whom? _____

Department: _____

Team Member's Signature: _____

Department Manager's Signature: _____

General Manager's Signature: _____

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To whom it may concern,

On August 4th 2018 while at the Menards in Wyoming I asked a employee for help with some floor material. The employee informed me that the floor department was not his department. When we went looking for help we found the correct person working Stacy. The employee helping me referred to Stacy as the Black Colored man down the aisle. This seemed awkward and unprofessional.

Menards Customer John

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TM Discounts



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Assistant manager

Jonah Friedman changed schedule with out informing me and changed it

Welcome, Stacey

Home 0 My Account 0 Sign Out

Schedule Information

Sun Aug 26 OFF	Mon Aug 27 03 00 pm 11 00 pm	Tue Aug 28 03 00 pm 11 00 pm	Wed Aug 29 11 00 am 06 00 pm <u>Meeting</u> 09 00 pm 10 00 pm	Thu Aug 30 OFF	Fri Aug 31 10 00 am 06 00 pm	Sat Sep 01 06 30 am 03 00 pm
Sun Sep 02 02 00 pm 09 00 pm	Mon Sep 03 08 00 am 05 00 pm	Tue Sep 04 OFF	Wed Sep 05 01 00 pm 10 00 pm	Thu Sep 06 06 30 am 02 00 pm	Fri Sep 07 07 30 am 04 00 pm	Sat Sep 08 OFF

Week of 08/12: 43.77 Vacation Balance 2018: 5 days
Week of 08/19: 41.1
Week of 08/26: 7.17

When I discovered the change

[CLICK HERE TO ENTER THE WORKBRAIN TEAM MEMBER SITE.](#)

This was an attempt to cause me to come in late to accumulate attendance points for termination

Human Resources

Personal Information:

Address: 855 KALAM ZOO AVE SE GRAND RAPIDS, MI 49507-0000
Shirt Size: 4X

Payroll/HR Information:

[Show me my Paycheck](#)
[Insurance Enrollment](#)

[Show me my Tax Documents](#)
[Tax Withholding Update](#)

Benefits Information:

[View Benefit Documents](#)
[Anthem Medical](#)
[Humana](#)

[TM Discount \(PRD\)](#)
[Anthem Dental](#)
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Welcome, Steve

Home 0 My Account 0 Sign 0

Careers

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Schedule Information

Sun Aug 26 OFF	Mon Aug 27 03 00 pm 11 00 pm	Tue Aug 28 03 00 pm 11 00 pm	Wed Aug 29 11 00 am 06 00 pm Meeting 09 00 pm 10 00 pm	Thu Aug 30 OFF	Fri Aug 31 08 00 am 05 00 pm	Sat Sep 01 08 30 am 03 00 pm
Sun Sep 02 02 00 pm 09 00 pm	Mon Sep 03 08 00 am 05 00 pm	Tue Sep 04 OFF	Wed Sep 05 08 30 am 03 00 pm	Thu Sep 06 08 30 am 02 00 pm	Fri Sep 07 07 30 am 04 00 pm	Sat Sep 08 OFF

Week of 08/12: 43.77 Vacation Balance 2018: 5 days
Week of 08/19: 41.1
Week of 08/26: 23.35

[CLICK HERE TO ENTER THE WORKBRAIN TEAM MEMBER SITE.](#)

Human Resources

Personal Information:

Address: 855 KALAMAZOO AVE SE GRAND RAPIDS, MI 49507-0000
Shirt Size: 4X

Payroll/HR Information:

[Show me my Paycheck](#)
[Insurance Enrollment](#)

[Show me my Tax Documents](#)
[Tax Withholding Update](#)

Benefits Information:

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Select a report...

Schedule Score

Name: Stores - 35 700: 76.92%

Location: 3144

Staff Groups: 3144 FULL-TIME,
3144 PART-TIME

Dates: Aug 26, 2018 - Sep 01, 2018

Employee(s)	Filter Position
show all 700-001-MANAGER all but Not Assigned Not Assigned FT-LINDERMAN, DAVID	show all 700-001-MANAGER 700-002-AST MGR1 700-025-SALES

Forecast Info	Aug 26 2018	Aug 27 2018	Aug 28 2018	Aug 29 2018	Aug 30 2018	Aug 31 2018	Sep 01 2018
3144							
3144-700							
PT-OPOLSKI, CHRISTINA (300-025-SALES)	available	02:00 PM - 11:00 PM (9.00 hr)	02:00 PM - 11:00 PM (9.00 hr)	09:00 AM - 06:00 PM (9.00 hr)	09:00 AM - 06:00 PM (9.00 hr)	available	09:00 AM - 06:00 PM (9.00 hr)
FT-WILLIS, MICHAEL (700-001-MANAGER)	max	12:00 PM - 10:00 PM (10.00 hr)	06:30 AM - 03:00 PM (8.50 hr)	06:30 AM - 01:00 PM (6.50 hr)	06:30 AM - 01:00 PM (6.50 hr)	01:00 PM - 11:00 PM (10.00 hr)	10:00 AM - 11:00 PM (13.00 hr)
FT-LINDERMAN, DAVID (700-002-AST MGR1)	08:00 AM - 09:00 PM (13.00 hr)	06:30 AM - 02:00 PM (7.50 hr)	10:00 AM - 02:00 PM (4.00 hr)	12:00 PM - 11:00 PM (11.00 hr)	01:00 PM - 11:00 PM (10.00 hr)	06:30 AM - 01:00 PM (6.50 hr)	max
PT-GREGORY, CLAYTON (700-025-SALES)	10:00 AM - 09:00 PM (11.00 hr)	available	03:00 PM - 11:00 PM (8.00 hr)	04:00 PM - 11:00 PM (7.00 hr)	04:00 PM - 11:00 PM (7.00 hr)	05:00 PM - 11:00 PM (6.00 hr)	avallat
PT-KRAUTER, ALEXANDER (700-025-SALES)	available	available	OFF	OFF	available	04:00 PM - 11:00 PM (7.00 hr)	04:00 PM - 10:00 PM (6.00 hr)
FT-SMITH, STACEY (700-025-SALES)	OFF	03:00 PM - 11:00 PM (8.00 hr)	03:00 PM - 11:00 PM (8.00 hr)	11:00 AM - 06:00 PM (7.00 hr)	OFF	10:00 AM - 06:00 PM (8.00 hr)	06:30 03:00 (8.50)
	OFF	OFF	OFF	09:00 PM - 10:00 PM (1.00 hr)	OFF	OFF	12:00 11:00 (11.00)

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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
Michigan Occupational Safety & Health Administration
EMPLOYEE DISCRIMINATION SECTION

DATE: February 26, 2019 (CORRECTIONS AND EDIT BY COMPLAINANT).
(FINAL DRAFT).

TO: File

(DISREGARD ALL OTHER IDENTICAL CORRESPONDENCE WITHOUT THIS MARK).

FROM: April Strahan OFFICIAL STATEMENT ENCLOSED. 03 01 19.

EDITS OR ADDITION TO INFORMATION WILL BE IN ITALIC FORMAT.

SUBJECT: Stacey R. Smith / Menard's Inc. Case No. D-19-327-2

On February 21, 2019, the undersigned interviewed complainant in person. In response to questions posed, Mr. Smith stated substantially as follows:

Crystal Kademan is the HR Director in Wisconsin. I discussed things with her after I was terminated. She told me she was going to look into my termination and possibly get me my job back. I never heard back from her. *Also, when I finally submitted my Official Statement, minutes after sending it, while she was awaiting my statement to further her investigation, in turn she immediately responded after me sending my statement that, "the termination still stands". Proving that she did not plan to give me any opportunity of any kind of defense. (Was positioned to be completely defenseless).*

Nick Owens is the General Manager; Shannon was the assistant front end manager, my supervisor, Dave is the assistant manager in plumbing; Mike Willis is the flooring manager; *I was put in this department without a reasonable or explanation and was only told that, "I was needed in Flooring department by 1st. Assistant Eric Donley and this is when I knew my termination was eminent; apparently, they all provided statements.*

I started working in the front end, around October November 2018. Previously, I worked in the flooring department with Mike Willis as my supervisor for about six months. *This occurred after I contacted the Awareness line and after confidentially reporting my concern of being forced to work in a hostile environment with the Flooring Manager. In my statement it reflects the Department Managers unscrupulous and un ethical behavior that was allowed by Nick Owens in an effort to force me to quit. After reporting this concern to the Awareness Line, I did not even get an*

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acknowledgement from the Corporate Office that they were in receipt of my concern. This also proves that there was no open door policy as an avenue for concerned employees to report concerns as required by their job description. So I also endeavored this avenue in an effort to keep my job to no avail. I also was discouraged from management in this very department with qualified experience in retail and management and was told that I was not given the position because I did not know how to work a radio when the General Manager and the Department Manager was aware that I was being intentionally ignored by the Receiving Department which sparked a concern as well. This is pursuant to {GONZALEZ V. ABERCROMBIE & FITCH} - Discouraged from Management and causing a Disparate Act preventing me from doing my job.

I currently have a Civil Rights complaint that I filed (additional details in the documentation provided.) I was discouraged from training and moving up/being promoted due to my race.

M.D.C.R. CASE NO.: 493259. E.E.O.C. NO.: 23A-2019-00354C.

Approximately one month prior to my termination (around the end of November 2018, as we were preparing for Black Friday) I witnessed a co-worker, Andrew Bowzma (616) 217-1862, injure himself in a work-place accident. He was off for some time due to his injuries. Jona Friedman Assistant General Manager, also saw the accident but didn't do anything to stop it. *This I believe further cultivated my attempted termination.*

Andrew lifted up in a hilo, unhooked himself from the harness and he jumped off the platform onto a Bay door that was not working. He hung onto the bay door and the door engaged. You could tell he wasn't expecting that to happen, so he let go and fell to the ground. *Jonah Friedman, who also attempted to try to get me fired by switching my schedule and admitted later that he had done it and failed to inform me but it appeared that himself, the Flooring Manager and Nick Owens were aware of this and I determined that this was an attempt to cause me to rack up attendance points to get me fired. Jonah also was the Assistant Manager who I observed as I was passing by noticed that he observed the whole occurrence with Andrew and never once stopped him and had him come down to and stood there allowing it to happen. I even looked at Jonah as it was happening as said to him, "Are you going to let him do that? You know that is dangerous and against O.S.H.A rules and guidelines". I don't believe that Jonah was disciplined for that nor DO I BELIEVE THAT THE INCIDENT THAT WAS REPORTED ABOUT THIS IS NOT ACCURATE AND I WOULD LIKE TO ADD TO THAT INCIDENT TREPORT MY SIDE OF WHAT HAPPENED AS I SEEN WITH MY OWN EYES.* Just as fast as he fell, the bay door free-fell on top of him. *In my opinion, I am sure that that incident could have killed him. This is also when I realized that the General Manager disregarded my request to look into the information that I passed on to Eric Donley because I then followed up with Eric to see if he had informed Nick Owens yet about what I was informed on about the residential grade cables on the bay doors.* Sysco, who works in receiving, witnessed this as well. He was the one who told me about the bay door having residential grade cables on it. Once I learned about that, (prior to Andrew's accident) I immediately informed Eric Donnelly, First Assistant General Manager. I told him that they needed to look into the cables on the bay door because they are residential grade. I explained to him that with my experience at Home Depot as the safety captain of the entire store, it's my responsibility to inform him of the situation. There are no witnesses to this conversation. I whispered it to him privately.

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Eric said he would look into it, but I never heard anything about it and I didn't see any changes. I followed up with him and he said he mentioned it to Nick. I never asked Nick about it because I was in the midst of realizing Nick was trying to push me to quit with his actions.

Andrew Jonah Friedman the Assistant Manager who observed and allowed Andrew to violate O.S.H.A. Rules and Guidelines and Eric are both still employed.

On December 22, I was ringing up a customer (Don (616) 669-1722 (616) 813-7320). He had a Sorry Slip, which entitles a customer to a discount, it's like a raincheck, for some batteries. It was from a different store, so he couldn't use it. Shannon and Dave came over and started yelling at him about it. I apologized to the customer and asked him if he wanted to speak to the General Manager. He said yes, because he was very uncomfortable with how he was being treated (by Shannon and Dave.) I was about to ask Shannon and Dave to call the General Manager, but before I could say anything they said no, they weren't going to call the General Manager because they had already made the decision (that he couldn't use the Sorry Slip.) I apologized to the customer again and asked him if he wanted me to see if I could follow up with the General Manager for him regarding the situation. He said no, but said he was concerned about me and wondered if I was going to be ok. I told him I didn't know. The customer asked me if there was anything he could do to help me, and I asked him if I could get his phone number because I had a feeling something was going to happen. He gave me his phone numbers and left. After, Shannon said, how dare you go over my decision, and kept barking at me. I didn't know at the time, but apparently, she and Dave had already talked to the customer about not being able to use the Sorry slip. I finished my shift and went to leave. As I was walking to get my coat to leave, Nick asked me something about egg nog. Then he told me I was fired. He didn't say why, he only said they have a rap sheet on me a mile long. He told me to give him my keys. He didn't provide any paperwork or anything.

I requested my file, but I couldn't afford the fee.

After I was terminated they mailed me something to fill out about my experience there. I filled it out, but I never returned it (copy provided.)

Prior to my termination I had reported mistreatment to "Block 5." I had a hostile manager and he made me feel uncomfortable. I reported the same issues to our continuous awareness line. Two days later, they abruptly moved me without asking, to the front end, which is an even more hostile environment; the worst department in the store.

I believe they terminated me because of my race. They never gave me an opportunity to advance in the company as a whole and that store specifically. I saw this type of thing a lot. They would hire a set of minorities and accelerated their termination process to get rid of them. Meanwhile, Caucasians were allowed to stay and struggle and were given chances and stayed hired. I saw others promoted like Branson (a Caucasian male) who was hired around the same time as I was. I was training him, and he was promoted when I was never given that chance. He was later demoted because of his poor performance.

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February 26, 2019

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I also believe the incident with Andrew was a primary reason for them terminating me. As far as my inability to be promoted, I believe that was a race issue. I have filed an EEOC complaint on that.

I believe if I were to go back there I would experience the same treatment. I want them to retire me from the company.

Mr. Smith was informed of the investigation process and liability if we are able to prove he was retaliated against for raising a safety concern. Mr. Smith stated he understood.


Mr. Smith also provided additional documentation for the file.

The above is true and correct to the best of my recollection.

I ATTEST UNDER THE PENALTY OF PERJURY THAT THIS STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE, UNDERSTANDING, AND BELIEF.

April Strahan

"I have read the above and it is true, and I request that my statement be held confidential to the extent allowed by law."



03-01-19

s Mr. Stacey R. Smith

03 01 2019

Stacey R. Smith

Date

(ELECTRONIC SIGNATURE)

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Stacey R. Smith / Menard's Inc.

February 26, 2019

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NOTE: FOR THE MOMENT UNTIL THE INVESTIGATOR RECEIVES THE OFFICIAL DOCUMENT WITH MY ACTUAL SIGNATURE: I, STACEY R. SMITH, (THE COMPLAINANT), AUTHORIZES MY ELECTRONIC SIGNATURE TO POSE AS A SIGNED DOCUMENT FROM THE COMPLAINANT UNTIL THE STATE OF MICHIGAN OFFICIALLY HAS MY SIGN COMPLAINT.

Mr. Stacey R. Smith

EMPLOYEE ID: 1401244.

STORE NO.: 3144.

5555 Clyde Park Ave SW

Wyoming, Michigan 49509.

855 Kalamazoo Ave SE

Grand Rapids, Michigan 49507.

616-350-5709.

01/11/2019.

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February 26, 2019

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REFERENCE: MY OFFICIAL STATEMENT.

Dear John Menard:

I was hired into a position at above store number on March 17, 2016, where I was offered a position on the Plan-O-Gram team immediately after the reflection of my previous position at Home Depot. From that point, I learn the position in lightening speed, whereas, I was asked to train a new employee after being there for only one month. I learned System V in 1 day and started showing other new employees how to use it because I observed all the managers how didn't bother about training them and training developed, in my observation, to be a huge concern. From this point, I noticed how the Plan-O-Gram team would deviate from their own instructions by telling me that I was not able to leave until I had the pneumatic nail Plan-O-Gram that the two other members left me to do it all by myself which was obvious with the weight of the nails required two people, yet they were allowed to leave. The Assistant General Manager, Mr. Jager, came to help me and then allowed me to leave after finding out that the other people on the team, Kala and Carol, had already left. Nothing was said about. Nor were they disciplined for it.

From this point, was the start of my termination, though, Nick Owens was not aware that I was on to his malicious intentions with over 25 years in retail, I have managed to learn the protocol for Constructive Dismissals. I was then abruptly snatched out of the Plan-O Gram Team and placed into the Flooring Department to which I was already aware of his intentions when I was forced to move into the department without my knowledge or consent- with the explanation as to why I was being moved to this department without my consent, while being told that "you are needed in the Flooring Department along with the knowledge of the history of the Flooring Manager Michael Willis who bragged about how he always gets away with his unscrupulous behavior of being derogatory to his team members while holding the Receiving Managers position and also, FLAUNTING NAKED PICTURES OF OF A TEAM MEMBER IN MY FACE, to show me the things that he is able to get away with. I also indicated my concerns through the 5 Block with no response along with my concern when I contacted the Alert Line after becoming very uncomfortable with this Flooring Managers behavior. I also observed this Managers behavior when he was allowed by the GM's to brutally yelled at 3 guests one day all at one time and Nick Owens allowed him to treat these guest horribly and is still employed. I also observed this same Flooring Manager literally curse out Eric Donely, ON THE SALES FLOOR USING PROFANITY SAYING TO ERIC DONELY STATING OUT LOUD AND EXUSE ME FOR USING PROFANITY IN THIS STATEMENT BUT THIS WHAT HE SAID OUT LOUD IN FRONT OF ALL THE GUEST: "I NEED SOME FUCKING EMPLOYEES!!!". This was a result of Nick Owens tactic to discourage me from not only working as an employee, but also 'DISCOURAGING ME FROM MANAGEMENT PURSUANT TO {GONZALEZ V. ABERCROMBIE & FITCH} WHEN I APPLIED FOR THE ASSISTANT MANAGERS POSITION IN THE DEPARTMENT WITH THE REASON STATED THAT THE RESASON WHY I WAS NOT CONSIDERED WAS BECOUSE I DID NOT KNOW HOW TO WORK A 2-WAY RADIO WHICH WAS NOT TRUE. EVERYONE AND NICK IS AWARE WOULD PURPUSELY IGNORE ME WHEN I MADE REQUEST FROM RECEIVING: WHICH IS ALSO A DISPARATE ACT ALSO PURSUANT TO {GONZALEZ V. ABERCROMBIE & FITCH}. From this point, I notice that the Flooring Manager would adamantly insist on doing things to try to provoke me into committing to an act that would cause me to lose my job. For example, when I asked him what arrangement I could make to attend a family funeral, his response was, "I don't fucking care!!!" So I was forced to consult with the very person I had already been uncomfortable with dealing with which was Nick Owens. At this point I consulted with the Alert line and did not even get a call back just to let me know that someone at the Corporate Office that they were in receipt of my concern. I then was just abruptly moved again without my knowledge or consent to the Front End when I realize that Nick Owens was behind my CONSTRUCTIVE DISMISSAL when I realized that I was being moved to what the entire store agreed was the most hostile department in the entire store, THE FRONT END. Due my experience with working at a bank vault, I had no problem, which was confirmed, with the

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Stacey R. Smith / Menard's Inc.

February 26, 2019

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ability to balance my register and outperformed at the Front End as well which went against Nick Owens plan again to cause me to become entangled in a hostile environment which he thought would cause me to react in a way to get me fired. So in turn, he used the incident that occurred as a way to finally remove me to the store unfairly by accusing me of violating company policy by asking the guest if they would like for me to call Nick Owens when the were not satisfied in understanding why the could not use their Sorry Slip.


Summation: In all, I was fired because the customer asked me to call the General Manager, which was my duty as an employee, and Nick Owens misconstrued this as misconduct when I was doing what I thought was my job IN AN EFFORT NOT TO GET FIRED, resulting into my unlawful termination through Nick Owens FALSE ACCUSATION OF INSUBORDINATION.

Question: How is it justified for me to become insubordinate when the guest or customer Don 616-669-1722 asked me to get the General Manager?

ADDENDUM TO OFFICIAL STATEMENT:

Also, the other indicators which indicates to me that this was a Constructive Dismissal is because after noticing my abrupt transfers to departments and the hostile environments I was forced to endure from the Flooring Department to the Front End lead me to believe this after I noticed the behavior from the Flooring Manager about just getting proper instructions for bereavement and subjected to profanity and ridicule, it became obvious from the denial from management, while the General Manager admitted that I was very intelligent, however, along with over 25 years of experience in retail and over 5 years solid in retail management, I was apparently not smart enough to be part of management further discouraging me from management pursuant to (GONZALEZ V. ABERCROMBIE & FITCH) ; Case law: The Honorable Susan Illston U.S. District Judge San Francisco, California. Then when I was abruptly transferred to the Front End, I am almost sure that Nick Owens; (The General Manager of Menards Inc 5555 Clyde Park Ave Wyoming, Michigan 49509, was certain to trip me up by relying on the notion that I would make cashiering errors which would have been a very quick avenue for termination through a series of write ups for cashier error which could not be obtain when he discovered that I was not making any errors which would require corrective actions or write up. My experience at a bank vault in the past was what he was not aware of. So doing simple point of sale was second nature to me and I excelled in this department which he did not count on me succeeding therefor resorting to the false accusation of insubordination. I also observed Mike Willis going into the camera room along with Nick Owens just after my termination along with the supervisor Shannon who was part of the confrontation just after my termination. If Menards were to review their own camera system, it will show that Mike Willis; Flooring Manager and Nick Owens in the camera room at or around 7:15-7:30pm on 12 22 18 orchestrating my termination at that time. The confrontation with the guest Don 616-669-1722 at 7:45 pm, and then my termination occurred at 8:10pm on the same date. Also I have a character witness Adam Bartello 616-265-4084, who is willing to attest to my character being most conducive and within the policies of Menards. M.D.C.R. Should request to see the video from the camera room of Menards to prove this which they will resist in cooperating as the felt I should cooperate with them to no avail so this should be subpoenaed because I'm sure they will refuse, but a consensus should be take by asking most of the employees at random and inquire as to the type of employee I was to them in their own opinion. This is the only way M.D.C.R. And E.E.O.C. Can obtain an unbiased out look as to how the entire store perceived me as an employee at Menards. Another possible Addendum is eminent.

Best regards:



03-01-19

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Stacey R. Smith
855 Main St SE
Grand Rapids, MI 49507

By Personal Delivery

Michigan Office of Administrative Hearings

Attn: Emily Holscher

3026 W. Grand Blvd

2nd Floor Annex

Detroit, MI 48202

Docket No: 19-004183

Case No: 13752147

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855 Wallace Ave SE
Grand Rapids, MI 49507

By Personal Delivery

Michigan Office of Administrative Hearings

Attn: Emily Heischer

3026 W. Grand Blvd
2nd Floor Annex
Detroit, MI 48202

Docket No: 19-004183
Case No: 13752147

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MENARD, INC.

5101 MENARD DRIVE
EAU CLAIRE, WI 54703-9625

ADDRESS SERVICE REQUESTED

2875 N. Milwaukee
Chicago
60062

kgq
616 724 9155

Stacey R. Smith
855 Kalamazoo Ave. SE
Grand Rapids, MI 49507

Rec 0-01-19

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Exhibit
(A)

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(A)

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MENARD, INC.

May 24, 2019

VIA Facsimile (517) 763-0138 and U.S. Mail

Michigan Office Of Administrative Hearings and Rules
611 West Ottawa 2nd Floor
Lansing, MI 48933

EXHIBIT
(A)


RE: Claimant's name: Stacey R. Smith
Claimant's SSN: XXX-XX-3325
Docket No.: 19-004183
Case No. 13752147
EAN: 115054-000
Employer: Menard, Inc.-Wyoming

Dear Sir/ Madam:

Please find enclosed an additional document our company would like to use for the above referenced unemployment case which is the Notice of Telephone Hearing dated March 13, 2019.

Thank you for your attention to this matter.

MENARD, INC.


James Anderson
Senior Operations Counsel
Phone: (715) 876-2971
Fax: (715) 876-5963
Email: janderso@menard-inc.com

Enclosures

Cc: Stacey R. Smith-855 Kalamazoo Ave. SE Grand Rapids, MI 49507 Via Federal Express Overnight. ✓

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5101 MENARD DRIVE

EAU CLAIRE, WI 54703-9625

PHONE (715) 876-5911

FAX (715) 876-2868

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EXHIBIT
(A)

RECEIVED

MAR 19 2019

OPERATIONS - LEGAL

Date Mailed: March 13, 2019
Appeal Number: 19-004183
Case Number: 13752147
Claimant SSN: XXX-XX-3325
Employer No.: 1152054

MENARD INC
5101 MENARD DR
EAU CLAIRE, WI 54703-9604

NOTICE OF TELEPHONE HEARING

On March 05, 2019, the employer appealed an Unemployment Insurance Agency (Agency) Adjudication issued on February 04, 2019.

Under Michigan Statutes, MCL 421.33, a hearing will be held before Administrative Law Judge **Marten N. Garn**. This hearing will be held by telephone conference call with the Judge as the host. In order to participate, follow the instructions below. Failure to call in at 09:30 AM may result in you not being able to participate, which may result in an unfavorable decision against you.

Date: Tuesday, March 19, 2019

Time: 09:30 AM Eastern Time

Dial In: 888-273-3658

Access Code: 6432580#

After the prompt, press # to connect

The hearing is scheduled for 60 minutes.

Issues to be considered at this hearing:

Section 29(1)(b)

Credit/Restitution

Whether claimant is disqualified for benefits under the misconduct connected with work provision. Section 29(1)(a) Voluntary Leaving may apply.
Section 20(a) Credit to employer; Section 62(a) Restitution/Improper payments may apply.

Please contact the Michigan Administrative Hearing System if you require accommodation for the hearing, such as a sign language interpreter, reader, or any assistive equipment.

Appellant Copy

MICHIGAN ADMINISTRATIVE HEARING SYSTEM
Phone: (517) 335-7546 | Fax: (517) 763-0138

0049-00144

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Exhibit
(A)

3144 Wyoming

MAR 19 2019

2nd MAY 29

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EMIPIT
(A)

Exhibit (B)

PARTICIPANTS

		05-29-19			
		Sworn		Sworn	
Claimant	STACEY R SMITH (did not appear)				
Representative					
Witness					
Witness					
Witness					
Witness					
Employer	NICK OWENS	X	X		
Representative	JAMES ANDERSON	X			
Witness	SHANNON MARTIN	X	X		
Witness	DAVE CHRYSTAN	X	X		
Witness					
Witness					
Witness					
Witness					

EXHIBITS

NO	SUBMITTED BY			DOCUMENT DATED	FORM NO	DOCUMENT DESCRIPTION
	UIA	E	C			

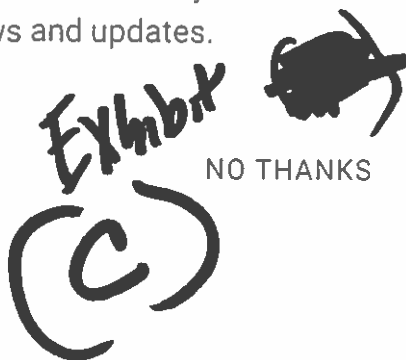
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19-004183

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We'd like to send you notifications for the latest news and updates.



This is an archived article and the information in the article may be outdated. Please look at the time stamp on the story to see when it was last updated.

Judge expresses frustration with UIA over rampant fraud cases; 23,000 case backlog

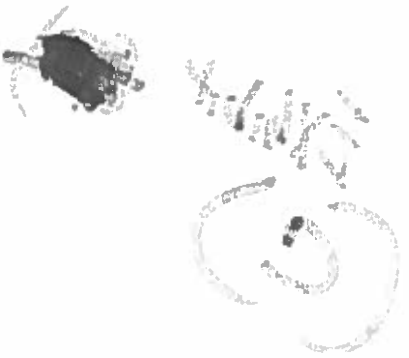


LANSING, Mich. -- People who are frustrated with the Michigan Unemployment Insurance Agency aren't alone.

In addition to some advocates and attorneys the FOX 17 Problem Solvers have interviewed over the past two months, it appears judges are also frustrated with the state agency. Watch the video to see how administrative law judge Marten Garn questions a representative from the UIA during a hearing.

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Problems that continue with UIAs
Yahoo Sent

- **Stacey Smith** <androgenxalon@att.net>

To:dtmb@michigan.gov

Cc:androgenxalon@att.net

Bcc:MDCRServiceCenter@michigan.gov

Feb 3 at 3:01 PM

I MANAGED TO FIND THE EIN NUMBER FOR MENARDS. NOW I AM NOT ABLE TO SUBMIT THE WAIVER BECAUSE IT IS INDICATING THAT I HAVE NOT COMPLETELY FILLED OUT. ANOTHER GLITCH OR PROBLEM WHICH IS NOT DETECTABLE TO SUBMIT THE WAIVER. WITH ALL OF THESE PROBLEMS THERE IS NO WAY FOR A CLAIMANT TO SUCCESSFULLY SUBMIT A SIMPLE WAIVER ONLY FOR IT TO BE DENIED ONCE AGAIN IN THE FAVOR OF THE STATE OF MICHIGAN.

DUE TO THES PERSISTANT PROBLEMS, I FEEL THAT A SWEEPING EXEMPTION SHOULD BE APPLIED TO ALL CLAIMANTS BECAUSE THE STATE OF MICHIGAN REFUSES TO MAKE THIS WHAT IS SUPPOSE TO BE A SIMPLE AND FASTER PROCESS TOWHICH THE STATE ENCOURAGES EVERYONE TO USE ONLY FOR THEM TO DISCOVER PERSISTANT PROBLEMS THAT THE STATE REFUSES TO CORRECT A SERVICE WHICH IS SUPPOSE TO BE BENEFICIAL TO THE CLAIMANT AND NOT THE STATE?

- **Stacey Smith** <androgenxalon@att.net>

To:androgenxalon@att.net

Feb 3 at 3:02 PM

--- On Sun, 2/3/19, Stacey Smith <androgenxalon@att.net> wrote:

> From: Stacey Smith <androgenxalon@att.net>

EXhibit D

letter or email to the
Director of I.T.

for the State of Michigan
about problems with the
State's website while applying
for unemployment

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> Subject: Problems that continue with UIA

> To: dtmb@michigan.gov

> Cc: andrgenxalon@att.net

> Date: Sunday, February 3, 2019, 3:01 PM

> I MANAGED TO FIND THE EIN NUMBER FOR MENARDS.

> NOW I AM NOT ABLE TO SUBMIT THE WAIVER BECAUSE IT IS

> INDICATING THAT I HAVE NOT COMPLETELY FILLED OUT. ANOTHER

> GLITCH OR PROBLEM WHICH IS NOT DETECTABLE TO SUBMIT THE

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> PERSISTANT PROBLEMS THAT THE STATE REFUSES TO CORRECT A

> SERVICE WHICH IS SUPPOSE TO BE BENEFICIAL TO THE CLAIMANT

> AND NOT THE STATE?

>

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o
o

-
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To:androgenxalon@att.net

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> Subject: Problems that continue with UIA

> To: dtmb@michigan.gov

> Cc: androgenxalon@att.net

> Date: Sunday, February 3, 2019, 3:01 PM

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> TO BE DENIED ONCE AGAIN IN THE FAVOR OF THE STATE OF

> MICHIGAN.

>

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> PERSISTANT PROBLEMS THAT THE STATE REFUSES TO CORRECT A
> SERVICE WHICH IS SUPPOSE TO BE BENEFICIAL TO THE CLAIMANT
> AND NOT THE STATE?
>

- **DTMB** <dtmb@michigan.gov>

To: Stacey Smith

Cc: andrgenxalon@att.net

Feb 4 at 7:59 AM

Hello,

Please contact the Talent Investment Agency at 1-888-522-0103. The link for the website is: <https://www.mitalent.org/>

Best Regards,

Jennifer McCullough
Director's Office
McCulloughj5@michigan.gov
517-241-5545

Show original message

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-
- **Stacey Smith** <androgenxalon@att.net>

To: Smith Rebecca (AG)

Sep 13 at 12:45 PM

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- or
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Exhibit (E)



Michigan reverses 70% of unemployment fraud cases, to refund more than \$20 million

By THE ASSOCIATED PRESS (/PEOPLE/ASSOCIATED-PRESS) • AUG 11, 2017

Share (<http://facebook.com/sharer.php?>

u=http%3A%2F%2Fwww.tinyurl.com%2Fyyhform&t=Michigan%20reverses%2070%25%20of%20unemployment%20fraud%20ca



(www.michiganradio.org/sites/michigan/files/styles/x_large/public/201708/unemployment_bytemarks.jpg)

BYTEMARKS / FLICKR - [HTTP://J.MP/1SPGCLO](http://j.mp/1SPGCLO)

LANSING, Mich. (AP) - The state of Michigan says it has reversed 70% of unemployment benefit fraud cases and is refunding \$20.8 million after people were wrongly accused of collecting excessive benefits.

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③ tidm

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The Unemployment Insurance Agency announced the results of a review Friday. It reviewed more than 62,000 cases for people who were assessed a fraud penalty and did not seek an appeal. About 44,000 cases were reversed.

Michigan has been under fire for a computer system that wrongly churned out cases of fraud. Last month, it dropped criminal charges against 186 people.

Over a two year period, Gov. Rick Snyder's administration mostly relied on the computer system to flag thousands of people. They were hit with penalties, wage garnishments and lost tax refunds - before the state admitted it was wrong.

Last month, the Michigan Court of Appeals dismissed a lawsuit (<http://michiganradio.org/post/court-people-wrongfully-accused-unemployment-fraud-filed-lawsuit-too-late>) claiming the state wrongfully accused thousands of people of unemployment fraud because the plaintiffs didn't file the lawsuit soon enough.

TAGS: [UNEMPLOYMENT INSURANCE AGENCY \(/TERM/UNEMPLOYMENT-INSURANCE-AGENCY\)](#)

[UNEMPLOYMENT FRAUD \(/TERM/UNEMPLOYMENT-FRAUD\)](#)

Share ([http://facebook.com/sharer.php?](http://facebook.com/sharer.php?u=http%3A%2F%2Fwww.tinyurl.com%2Fyyhform&t=Michigan%20reverses%2070%25%20of%20unemployment%20fraud%20ca)

[u=http%3A%2F%2Fwww.tinyurl.com%2Fyyhform&t=Michigan%20reverses%2070%25%20of%20unemployment%20fraud%20ca](http://facebook.com/sharer.php?u=http%3A%2F%2Fwww.tinyurl.com%2Fyyhform&t=Michigan%20reverses%2070%25%20of%20unemployment%20fraud%20ca)

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[-warrants against people accused fraud\)](#)
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JUL 20, 2017



[\(/post/court-people-wrongfully-accused-unemployment-fraud-filed-lawsuit-too-late\)](#)

[accused-unemployment-fraud-filed-lawsuit-too-late\)](#)
[Court: People wrongfully accused of unemployment fraud filed lawsuit too late \(/post/court-people-wrongfully-accused-unemployment-fraud-filed-lawsuit-too-late\)](#)

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[some wrongful unemployment fraud claims waited too long appeal \(/post/harsh-result-state-says-some-wrongful-unemployment-fraud-claims-waited-too-long-appeal\)](#)

JUL 7, 2017

[\(/post/harsh-result-state-says-some-wrongful-unemployment-fraud-claims-waited-too-long-appeal\)](#)



[state-unemployment-insurance-software-fraud-scandal \(/post/report-reveals-problems-state-unemployment-insurance-software-fraud-scandal\)](#)

AUG 8, 2017

[\(/post/report-reveals-problems-state-unemployment-insurance-software-fraud-scandal\)](#)



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FedEx Express **Package US Airbill**

FedEx Tracking Number

8139 2143 2034

Form ID No.

0215

From

05-24-19

Date

Sender's Name

Company MEMARD INC

Address 5101 MENARD DR.

City EAU CLAIRE

State WI

ZIP

54703-9604

2 Your Internal Billing Reference

3 To

Recipient's Name

Phone

Company

Address

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Dept./Floor/Suite/Room

Address

Use this line for the HOLD location address or for continuation of your shipping address.

City

State MI

ZIP

0131998775



8139 2143 2034

4 Express Package Service

* To most locations.

Next Business Day

- ☐ **FedEx First Overnight**
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☐ **FedEx Priority Overnight**
Next business morning. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.
- ☒ **FedEx Standard Overnight**
Next business afternoon. Saturday Delivery NOT available.

2 or 3 Business Days

- ☐ **FedEx 2Day A.M.**
Second business morning. Saturday Delivery NOT available.
- ☐ **FedEx 2Day**
Second business afternoon. Thursday shipment will be delivered on Monday unless Saturday Delivery is selected.
- ☐ **FedEx Express Saver**
Third business day. Saturday Delivery NOT available.

5 Packaging

* Declared value limit \$500.

- ☒ **FedEx Envelope*** ☐ **FedEx Pak*** ☐ **FedEx Box** ☐ **FedEx Tube**

6 Special Handling and Delivery Signature Options

Fees may apply. See the Fe

- ☐ **Saturday Delivery**
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

- ☒ **No Signature Required**
Package may be left without obtaining a signature for delivery.
- ☐ **Direct Signature**
Someone at recipient's address may sign for delivery.
- ☐ **Indirect Signature**
If no one is available at address, someone's address may sign to residential deliveries.

Does this shipment contain dangerous goods?

One box must be checked.

- ☒ **No** ☐ **Yes** As per attached Shipper's Declaration. ☐ **Yes** Shipper's Declaration not required. ☐ **Dry Ice** Dry Ice, UN 1845 x.

Restrictions apply for dangerous goods — see the current FedEx Service Guide.

☐ **Cargo Aircraft O**

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.

- ☐ **Sender** Acct. No. in Section 1 will be billed. ☐ **Recipient** ☐ **Third Party** ☐ **Credit Card** ☐

Total Packages

Total Weight

Credit Card Auth.

*Our liability is limited to US\$100 unless you declare a higher value. See the current FedEx Service Guide for details.

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earthsmart

FedEx carbon-neutral envelope shipping

Exhibit (F)

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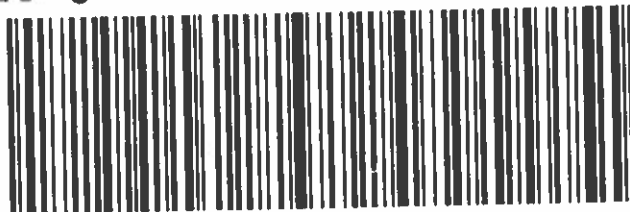
8139 2143 2034

XX GRRA

TUE - 28 MAY AA
STANDARD OVERNIGHT

49507
MI-US
GRR

Express



FTD 6933614 24MAY19 EAUW 653C1/D66C/8C8A

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20:00
B
05-28-2024

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Per [signature]

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FedEx[®] Express

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May 24, 2019

VIA Facsimile (517) 763-0138 and U.S. Mail

Michigan Office Of Administrative Hearings and Rules
611 West Ottawa 2nd Floor
Lansing, MI 48933

RE: Claimant's name: Stacey R. Smith
Claimant's SSN: XXX-XX-3325
Docket No.: 19-004183
Case No. 13752147
EAN: 115054-000
Employer: Menard, Inc.-Wyoming

Dear Sir/ Madam:

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MENARD, INC.



James Anderson
Senior Operations Counsel
Phone: (715) 876-2971
Fax: (715) 876-5963
Email: janderso@menard-inc.com

Enclosures

Cc: Stacey R. Smith-855 Kalamazoo Ave. SE Grand Rapids, MI 49507 Via Federal Express Overnight.

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Exhibit 5
RECEIVED

MENARD INC
5101 MENARD DR
EAU CLAIRE, WI 54703-9604

MAR 19 2019

OPERATIONS - LEGAL

Date Mailed: March 13, 2019
Appeal Number: 19-004183
Case Number: 13752147
Claimant SSN: XXX-XX-3325
Employer No.: 1152054

MAR 19 2019

3144 Wyoming

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Dial In: 888-273-3658
Access Code: 6432580#
After the prompt, press # to connect

The hearing is scheduled for 60 minutes.

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Appellant Copy

0049-00144

MICHIGAN ADMINISTRATIVE HEARING SYSTEM
Phone: (517) 335-7546 | Fax: (517) 763-0138

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2

REQUEST FOR REHEARING OR REOPENING BEFORE AN ADMINISTRATIVE LAW JUDGE

When the appeal to the Administrative Law Judge (ALJ) has been dismissed for lack of prosecution or a party is in possession of newly discovered material information not available when the case was heard by the ALJ, the party may request rehearing in writing before the ALJ instead of appealing to the Michigan Compensation Appellate Commission (Commission). A request for rehearing must be signed by the requesting party or their agent, and RECEIVED by the Michigan Office of Administrative Hearings and Rules (MOAHR) at **611 West Ottawa, 2nd Floor, Lansing, MI 48933** or by an office or agent office of the agency, within 30 calendar days after the date of this decision. The party requesting rehearing must also serve the request on the opposing party. A rehearing request received (as described above) more than 30 days after the decision is mailed, shall be treated as a request for reopening.

The ALJ may, for good cause, reopen and review this decision and issue a new decision or issue a denial of rehearing/reopening.

If a request for rehearing or reopening is not received by MOAHR, and an appeal to the Commission is not submitted, the hearing decision becomes final.

If the Agency fails to comply with an ALJ decision or order more than 30 days, but within 1 year, after the date of mailing of the decision, you may request, in writing, that the ALJ reopen the matter. You must serve a copy of the request to reopen on the other party.

APPEAL TO THE MICHIGAN COMPENSATION APPELLATE COMMISSION

The Michigan Compensation Appellate Commission (Commission) consists of up to nine members appointed by the governor and is not part of the Unemployment Insurance Agency (UIA).

An appeal to the Commission shall be in writing and signed by the party or his/her agent and must be RECEIVED directly by the COMMISSION within 30 days after the mailing of the ALJ's hearing decision or order denying rehearing or reopening. Parties may obtain the Commission appeal form by going online and downloading the form located at: http://www.michigan.gov/documents/lara/UI_Appeal_Form_602012_7.pdf. A timely appeal may be made by personal service, postal delivery (P.O. Box 30475, Lansing, MI 48909-7975), facsimile transmission (517.241.7326), or other electronic means as prescribed by the Commission.

The timely appeal/request may also seek to present additional evidence in connection with the appeal or request an oral argument before the Commission. The Commission may consider written argument only if all parties are represented; by agreement of the parties; the Commission orders oral argument; or the Commission orders evidence be produced before it. For additional information, please review the Mich Admin Code, Rules 792.11416 - 792.11429 or visit http://dmbinternet.state.mi.us/DMB/ORRDocs/AdminCode/1742_2017-066LR_AdminCode.pdf

An appeal cannot be requested by telephone. More information about the appeal process to MCAC can be found on Page 21 of "A Guide to Unemployment Insurance Appeals Hearing", located at the following link: http://www.michigan.gov/documents/uia_UC1800_76144_7.pdf.

BY-PASS OF COMMISSION/DIRECT APPEAL TO THE CIRCUIT COURT

A party may by-pass appealing to the Commission and appeal a decision or final order of an ALJ directly to a circuit court in the county in which the Claimant resides or in the county in which the Claimant's place of employment is (or was) located, or if the Claimant is not a party to the case, the circuit court in the county in which the employer's principal place of business in this state is located, if the parties (Claimant and Employer), or their respective authorized agents/attorneys, sign a timely written stipulation agreeing to the direct appeal to the circuit court. The stipulation must be mailed to the Michigan Office of Administrative Hearings and Rules, 3026 W. Grand Blvd, 2nd Floor Annex, Suite 2-700, Detroit, Michigan 48202. Application for review to a circuit court must be made within 30 days after the mailing date decision or final order by any method permissible under the rules and practices of the circuit court. The responsibility for properly and timely filing an appeal with the clerk of the circuit court rests with the party filing the appeal.

19-004183

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Docket No.: 19-004183
Case No.: 13752147
Employer: MENARD INC
Claimant: STACEY R SMITH
SSN: XXX-XX-3325

STACEY R SMITH
855 KALAMAZOO AVE SE
GRAND RAPIDS, MI 495071379

This is an important legal document. Please have someone translate the document.

هذه وثيقة قانونية مهمة. يرجى أن يكون هناك شخص ما يترجم المستند.

এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

这是一份重要的法律文件。请让别人翻译文件。

Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

ORDER

The Agency's February 4, 2019 Adjudication is reversed.

The claimant is disqualified from receiving benefits pursuant to Section 29(1)(b) of the Michigan Employment Security Act (Act).

The claimant is disqualified beginning the week ending December 29, 2018.

Decision Date: May 30, 2019


MARTEN N. GARN
ADMINISTRATIVE LAW JUDGE

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